

In response to the May 16, 2002 Office Action,
please enter the following Remarks:

REMARKS

Reconsideration and allowance of the subject
application are respectfully requested.

Claims 1-30 are pending in the application. Claims
1, 29, and 30 are independent.

Claims 1-30 were rejected as being anticipated by
Marotta et al. (6,261,305) under 35 U.S.C. 102(e), for the
reasons noted at pages 2-4 of the Office Action. Applicants
respectfully traverse all art rejections.

Each of the independent Claims 1, 29, and 30 recites a
novel combination of structure and/or steps whereby a covering
material has a first surface area disposed over a second surface
area of the second expandable portion. Importantly, **the first
surface area is greater than the second surface area** in the
second **unexpanded state** of the second expandable portion. The
art applied by the Examiner fails to disclose or suggest a
combination of elements including this feature.

The above-noted features provide advantages detailed

in the specification at Page 7, line 9 through Page 8, line 7.


The Office Action states at Page 4 that such features are "inherent" in Marotta. Applicants respectfully traverse. Marotta discloses at Column 12, lines 32-54 that a covering is provided which blocks the strut openings in that portion of the prosthesis. However, nowhere does Marotta disclose or suggest that the covering is applied so that its surface area is greater than the surface area of that portion of the strut in the unexpanded state. To the contrary, Marotta teaches that the covering material is a balloon material (see Column 12, line 39), which is well known by persons of ordinary skill in the art to stretch upon inflation of a catheter. Marotta appears to contemplate that a highly elastic material be applied to the struts, and then be allowed to stretch when the prosthesis is expanded. Thus, not only does Marotta fail to disclose or suggest a salient claimed feature of the present invention, it appears to teach away from it. Moreover, it is well-known that an applied reference must be enabling for the features for which it is applied. In the present case, Marotta is not enabling as to the feature that the covering is applied so that its surface area is greater than the surface area of that portion of the strut in the unexpanded state, but it appears to teach away from

this feature. Accordingly, the salient claimed features of the present invention are nowhere disclosed or suggested by the applied art.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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